

AMENDED IN ASSEMBLY JANUARY 23, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 926**

**Introduced by Assembly Member Chu**

February 18, 2005

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~~An act to amend Sections 11831.5, 11834.01, 11834.02, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, to add Sections 11834.04 and 11834.11 to, and to repeal and add Section 11834.16 of, the Health and Safety Code, relating to substance abuse. An act relating to substance abuse.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 926, as amended, Chu. Substance abuse: adult recovery maintenance facilities.

Existing law provides for the licensure, certification, and regulation of alcoholism or drug abuse recovery or treatment facilities serving adults, administered by the State Department of Alcohol and Drug Programs. Existing law requires the department to grant certification to any alcoholism or drug abuse recovery or treatment program wishing to receive, and requesting, the certification. Existing law prohibits the department from levying a fee for certification of nonprofit organizations or local governmental entities under these provisions.

This bill would also require, *on or before June 30, 2007*, the department to ~~administer~~ *study and report to the Legislature on the licensure, or certification, and regulation or both of adult recovery maintenance facilities, as defined.* ~~This bill would delete the~~

~~prohibition against levying fees for certification of nonprofit organizations or local governmental entities.~~

~~Existing law requires the department to calculate and establish a fee for initial licensure, and for extension of the period of licensure, of an alcoholism or drug abuse recovery or treatment facility. Existing law also prohibits fees from being levied for licensure of nonprofit organizations or local government entities.~~

~~This bill would eliminate the prohibition against levying licensing fees for licensure of nonprofit organizations or local government entities, with respect to fees for licensure of an alcoholism or drug abuse recovery or treatment facility or an adult recovery maintenance facility.~~

~~This bill would establish the Residential and Outpatient Programs Compliance Branch Licensing and Certification Trust Fund in the State Treasury. The bill would require the trust fund, upon appropriation by the Legislature, to be used exclusively to cover administrative costs of the licensing and certification process established by the bill.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. (a) *The department shall, on or before June 30,*
- 2     *2007, study and provide a report to the Legislature on whether to*
- 3     *require certification or licensure or both for the operation of*
- 4     *adult recovery maintenance facilities. In preparing the study, the*
- 5     *department shall work with stakeholder groups and shall*
- 6     *consider at least the following factors:*
- 7     (1) *Standards regarding the types of services offered and the*
- 8     *quality of those services.*
- 9     (2) *Procedures for the certification or licensure application*
- 10    *and evaluation.*
- 11    (3) *The reasonable costs to implement a program to provide*
- 12    *certification or licensure or both, as well as an accompanying fee*
- 13    *estimate.*
- 14    (4) *Enunciation of the department's authority to enforce, in*
- 15    *conjunction with local law enforcement and public health*
- 16    *officials, compliance with minimum standards set by the*
- 17    *department.*

1     ***(b) For purposes of this section, “adult recovery maintenance***  
2     ***facilities” means any facility, place, or building that provides***  
3     ***alcohol- or drug-free housing whose rules, peer-led groups, staff***  
4     ***activities, or other structured operations are directed toward***  
5     ***maintenance of sobriety for adults who are in early recovery***  
6     ***from substance abuse or who recently have completed***  
7     ***alcoholism or drug abuse recovery or treatment services. This***  
8     ***facility is designed to promote independent living in a supervised***  
9     ***setting, but does not provide professional recovery and treatment***  
10    ***services onsite. The facility may require that adults receive***  
11    ***offsite certified alcoholism or other drug treatment services.***

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14     **All matter omitted in this version of the bill**  
15     **appears in the bill as introduced in the**  
16     **Assembly, February 18, 2005. (JR11)**  
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